



Republican Policy Committee

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January 20, 1995

S. 1 - S. 10 A Look at the Republicans' and the Democrats' Top Five Bills

By a tradition, observed at least in recent decades, the Majority and Minority Leaders, at the start of each new Congress, reserve for themselves the first several bills to be introduced in the new session to represent each party's top legislative priorities. Herewith follows a brief look at the Republicans' S. 1 - S. 5, and the Democrats' S. 6 - S. 10.

S. 1 The Unfunded Mandates Bill

S. 1 is a bill to curb the practice of imposing unfunded Federal mandates on States and local governments. Provisions include a requirement to provide adequate funding for new Federal mandates on State, local and tribal governments.

Specifically, the bill provides a majority-vote (51) point of order in the Senate to lie against consideration of any legislation (other than matters within the jurisdiction of the appropriations committees) that imposes federal mandates if the total cost imposed by the bill on state, local and tribal governments is \$50 million or more, or if the total cost imposed by the bill on the private sector is \$200 million or more, unless CBO cost estimates are published by the committee before Senate consideration, and unless the bill contains funding proposals to cover the direct compliance costs of state, local and tribal governments.

The Unfunded Mandates legislation provides that if annual appropriations are inadequate to meet the increased costs of intergovernmental mandates imposed by the bill, then either the mandate expires or the agency must impose lower levels of mandates to match the level of appropriations, as provided by the mandate legislation. In addition, the legislation requires federal agencies to include cost/benefit estimates in proposed or final regulations that impose costs of \$100 million a year on state, local and tribal governments.

S. 1 attempts to take up where S. 993 of the last Congress left off: Republicans with bipartisan support, under the leadership of Senator Kempthorne, on May 20, 1993, introduced S. 993, the Community Regulatory Relief Act. S. 993 was reported by the Governmental Affairs Committee on June 16, 1994, but floor consideration was prevented during the 103d Congress due to numerous amendments proposed by Democratic Senators.

Status: A cloture vote on January 19 failed by a vote of 54-42, and a unanimous consent agreement reached late Thursday night now limits amendments. Debate on the bill will continue into next week.

S. 2 The Congressional Accountability Act

The bill will extend 11 civil rights and labor laws to the Senate, the House of Representatives, and the "instrumentalities of Congress," which include the Library of Congress, the General Accounting Office, the Congressional Budget Office, the office of the Architect of the Capitol, the Office of Technology Assessment and others. Those 11 laws are: the Fair Labor Standards Act, Title VII of the Civil Rights Act of 1964, the Americans With Disabilities Act, the Age Discrimination in Employment Act, the Family and Medical Leave Act, the Occupational Safety and Health Act, the Federal Labor Management Relations Act, the Employee Polygraph Protection Act, the Worker Adjustment and Retraining Notification Act, the Rehabilitation Act of 1973, and the Veterans' Reemployment Act.

The bill extends to congressional employees and employers most of the rights, responsibilities, and remedies that are available to workers in the private sector. There are a handful of differences because Congress wanted to extend the statutes to itself without having enforcement by the Executive Branch which would have breached the separation of powers.

S. 2 has many similarities with S. 2071, the Lieberman-Grassley bill that was introduced on May 4, 1994, and referred to the Committee on Governmental Affairs. Senate hearings were held, and on October 3, 1994, the Committee favorably reported a modified version (H.R. 4822) which had already passed the House. The full Senate did not, however, consider the bill.

Status: By unanimous vote, the House of Representatives passed a congressional coverage bill (H.R. 1) on the first day of the 104th Congress. H.R. 1 was identical to H.R. 4822 of the last Congress. The Senate passed its congressional coverage bill, S. 2, on January 12. The House then passed the Senate version on January 17, 1995. As this was written, S. 2 was awaiting the President's signature.

S. 3 Violent Crime Control and Law Enforcement Improvement Act of 1995

In 1994, Congress passed and the President signed a major crime bill. Most Republicans, however, opposed that bill, arguing that it spent far too much on unproven and wasteful social welfare programs and that it wasn't tough enough against crime.

S. 3 is the Republican effort to correct the excesses (of spending) and the shortages (in anti-crime measures) of last year's bill.

S. 3 will set mandatory minimum penalties for gun crimes and for selling drugs to or using minors in the drug trade. It will repeal \$5 billion in social spending. It will strengthen victims' rights. It will provide an additional \$1 billion for construction of new prisons and for operation costs. And, it will make procedural reforms in the criminal justice system.

In the 102d Congress, a weak House-passed conference report on a crime bill was kept bottled up in the Senate. Last Congress, the conference committee abandoned tough provisions that had passed the Senate. The House rejected the first conference report, but the second -- better than the first but still full of pork -- passed both Houses over strong Republican opposition.

Status: A subcommittee of the House Judiciary Committee has begun hearings on a new anti-crime bill, and the Senate Judiciary Committee has tentatively scheduled hearings for February.

S. 4 Legislative Line-Item Veto Act of 1995

Under current law, rescissions (spending cuts in a current fiscal year suggested by the President) have no effect unless Congress acts affirmatively upon them. S. 4 changes rescission procedures so that they will take effect unless Congress acts to reinstate them.

According to advocates, enhancing the rescission powers available to the President would be one tool to employ in helping bring the budget back into balance, especially in the context of the balanced budget amendment. Congress has repeatedly ignored rescission requests from presidents, acting on only 366 of 930 rescission requests from Presidents Ford, Carter, Reagan and Bush combined (just 39 percent). According to a recent GAO study, \$70 billion would have been saved between 1984 and 1989, if the President had enjoyed a line-item veto.

The Senate has voted several times over the past six years on various line-item veto proposals, but the version identical to S. 4 has never garnered a majority.

Status: The Senate Budget Committee met to consider the line-item veto concept on January 18. The Committee is also considering a variation of the line-item veto, sponsored by Senator Domenici, which would allow the President to target tax expenditures and direct spending, as well as appropriations, for rescission; and assign the savings to deficit reduction (the so-called "lockbox" provision).

S. 5 The Peace Powers Act of 1995

Twenty-two years ago, the Senate passed S. 440, the War Powers Act of 1973. S. 5 repeals the War Powers resolution, which has been considered unconstitutional by all Administrations since its enactment. However, S. 5 retains the reporting and congressional consultation provisions of the War Powers resolution.

The Peace Powers Act of 1995 prohibits foreign command of U.S. troops in peacekeeping operations (such as the U.S. troops currently serving under a foreign command in U.N. operation in the former Yugoslav Republic of Macedonia). S. 5 also requires defense costs incurred by the United States while under U.N. peacekeeping duties be credited to the U.S.'s annual U.N. assessments. In addition, the bill would require advance notice of funding sources for U.N. peacekeeping operations before votes to establish, extend, or expand U.N. peacekeeping activities.

Status: S. 5 was referred to the Foreign Relations Committee on January 4, 1995. The Committee will likely hold hearings in February.

Here follows Minority Leader Daschle's top five bills, termed collectively as, "Five Common Sense Initiatives for American Families."

S. 6 Working Americans Opportunity Act

This bill consolidates 9 of the existing 154 federal job training programs into a new appropriated entitlement program administered by the Departments of Education and Labor. Under the program, eligible people would receive a \$3,000 "training account for job training services." Since funding will not be sufficient to establish accounts for every individual who might want one, the Secretaries of Education and Labor will determine who is eligible to get a \$3,000 training account.

Status: The legislation was referred to the Labor Committee on January 4, 1995.

S. 7 Family Health Insurance Protection Act

S. 7 implements market reforms regulating the sale and pricing of health insurance premiums, phases in 100-percent deductibility of health insurance premiums for the self-employed, and provides subsidies for the purchase of health insurance to certain unemployed people and to children living in households with incomes below 240 percent of poverty. It is unclear how much the bill would cost the federal government or how the costs are offset.

Status: The legislation was referred to the Finance Committee on January 4, 1995.

S. 8 Teen Pregnancy Prevention and Parental Responsibility Act

S. 8 requires unwed mothers under the age of 18 to live either with an adult family member or in an adult-supervised group home, expands government paternity-establishment efforts, and increases federal spending for teen pregnancy prevention. It is not clear the extent to which the program would involve public expenditures to encourage or pay for abortions. The legislation does not spell out what happens to the children of women who fail to comply with the bill's federal requirements. Under questioning by the House Ways and Means Committee earlier this month, Health and Human Services Secretary Donna Shalala acknowledged that the Administration bill would require that these children be removed from their mothers and placed in orphanages if foster or adoptive homes were not available.

Status: The legislation was referred to the Finance Committee on January 4, 1995.

S. 9 Fiscal Year 1996-2003 Budget Resolution

This bill directs the Senate and the House of Representatives to (1) adopt a budget resolution for fiscal years 1996 through 2003, and (2) enact all necessary legislation so that the Federal budget will be in balance by fiscal year 2003. These actions are to be taken this year. S. 9 is designed to put Congress on a "glide path" to a balanced budget.

Status: The legislation on January 4 was referred jointly to the Committees on the Budget and Governmental Affairs.

S. 10 Comprehensive Congressional Reform Act of 1995

S. 10 is an amalgam of several bills that passed one or both Houses of Congress last year but never became law. First, S. 10 makes certain laws applicable to the Legislative Branch of the Federal Government. S. 2, which has already passed both Houses of Congress in the 104th Congress, addresses this problem. Second, S. 10 amends the lobbying registration and disclosure requirements and congressional rules on gifts. A similar measure passed the House last year, and the Senate probably will consider a measure later this year. Third, S. 10 would change Federal election laws. However, the kind of changes that Democrats have championed in the past are not going to get the approval of a Republican-controlled Congress. To take a prominent example, Republicans are not going to authorize the use of tax funds for congressional campaigns.

Status: The bill was referred to the Governmental Affairs Committee on January 4, 1995.